

ELLERY J. PETTIT, Plaintiff *pro se*
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UNITED STATES DISTRICT COURT
District of Nevada

ELLERY J. PETTIT,

Plaintiff,

v.

FEDERAL NATIONAL MORTGAGE
ASSOCIATION, *et al.*,

Defendants.

Case No.: 2:11-cv-00149-GMN-PAL

PLAINTIFF'S REQUEST TO EXTEND
TIME FOR OPPOSITION - FRCP 6(b)

AND ORDER

I have received my service copy of Defendants' "IBM LBPS" and MERS' "MOTION TO DISMISS AMENDED COMPLAINT PURSUANT TO FRCP 12(b)(6) AND MOTION TO EXPUNGE LIS PENDENS."¹ I intend to file and serve my appropriate opposition or counter-motion to that Reply. Because I am filing and serving this before it's due, I request this court to extend my time to file and serve that opposition or counter-motion to Tuesday, December 27th.

I have also received this court's "Minutes" dated the same day as their motion was submitted, December 5th.² I'm confused. The docket note on this "Minute Order in Chambers" portion says "Opposition due fourteen (14) days from the date of this Minute Order. . ." Yet the "Motion for Summary Judgment-Fed. R. Civ. P. 56" portion clearly says Defendants' motion will be treated as a summary judgment and I have 21 days to file and serve my Opposition, not 14 days. Rather than ask the court to clarify this discrepancy, and because I may also use other counter-motions offered in FRCP 12, and because of the holiday season with the court being closed

1 See Docket #47

2 Docket #48

Monday, December 26th, I am requesting the due date be moved to Tuesday, December 27th.

RELIEF REQUESTED

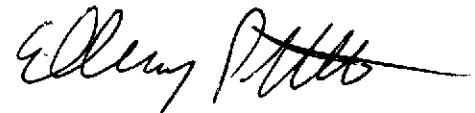
This court's order or other allowance according to so that I may file and serve my appropriate opposition or counter-motion no later than Tuesday, December 27th.

If I receive nothing contrary from this court on this matter, I will assume the way is clear and I will so file and serve.

I expressly reserve the right to amend or supplement this Request if I believe it is needed. I also reserve my right to have the court construe this Request according to FRCP 6(b), 1 and 8(e) and all other applicable law, including Constitutionally-adequate notice.

CERTIFICATE OF SERVICE: I certify that on this date I did serve a true copy of this Request on all Defendants' attorneys of record by regular mail.

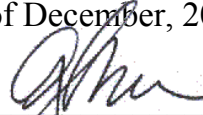
Submitted with all rights reserved on December 16, 2011



Ellery J. Pettit, Plaintiff *pro se*

ORDER

IT IS SO ORDERED this 19th day of December, 2011.



Gloria M. Navarro
United States District Judge